



City of Hampton, VA

Meeting Minutes

City Council

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Linda Curtis
W. H. "Billy" Hobbs, Jr.
Will Moffett
Chris Snead
Christopher G. Stuart
Donnie R. Tuck
George E. Wallace, Mayor

Staff:
Mary Bunting, City Manager
Jeff Sachs, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, February 12, 2014

1:00 PM

Council Chambers, 8th Floor, City Hall

CALL TO ORDER/ROLL CALL

GEORGE E. WALLACE PRESIDED

PRESENT: Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck

AGENDA

Agenda Items 14-0094 and 14-0092 were taken in reverse order.

1. 14-0062 Briefing on Red Light Camera Enforcement

City Manager Mary Bunting stated that there are many localities in the region that use the red light enforcement program that is authorized by the State Code of Virginia. She stated that this has been an issue over the years, and the City has been asked to determine if this program would be beneficial in reducing accidents and improving traffic safety in Hampton. She introduced Chief of Police Terry Sult, who would be presenting on how such a program would work. She noted that if Council chooses to pursue this program, there are engineering studies that would need to be completed. A copy of the presentation has been attached to these minutes.

Chief Sult noted that this is an intersection safety initiative with a component being automated red light enforcement. He shared background from the National Highway Traffic Safety Administration (NHTSA). There are more than 2.3 million reported intersection-related crashes each year, resulting in approximately 733,000 injuries, with more than 7,700 deaths. These numbers are based on a study done in 2008. He noted that side impacts are responsible for a significant portion of the injuries and fatalities due to the dynamics of the crash.

Chief Sult shared an evaluation of red light cameras done by the Federal Highway Administration. There was a 25% decrease in right angle accidents, 16% reduction in injuries from right angle accidents, but an increase of 15% in rear end collisions. He stated that this is from drivers hitting the brakes to prevent being issued a ticket. He

noted that studies show a positive aggregate economic benefit of approximately \$18.5 million in the seven communities that were studied.

Councilman Stuart noted that a positive aggregate economic benefit was good to hear. He asked if this was a result of ticket revenue. Chief Sult stated that this was related to the amount of damage and injuries, and the associated impact. Each accident costs money, and this is a positive result from those not occurring. Councilman Stuart stated that it also positively impacts a police officer's use of time.

Councilman Stuart asked if right angle crashes had been compared to rear end crashes for injuries. Chief Sult stated that, in general, there are fewer injuries from rear end collisions because they are not as violent. The severity of injuries increases with right angle collisions. Councilman Stuart noted that side airbags are a more recent development in vehicles, so more people would have protection in rear end collisions. Chief Sult confirmed this.

Chief Sult noted that in 2013, the City experienced approximately 3,100 accidents in intersections and 8 fatal crashes, two of which were right angles. In 2012, the numbers were similar with 7 fatalities, three of which were right angle collisions.

Mayor Wallace asked what other collisions accounted for the fatalities that were not side impact related. Chief Sult stated that these could include vehicles that run off of the roadway, hitting a pole, hitting a pedestrian, or the like. He stated that he would have to look at those individual fatalities to find the exact information.

Chief Sult shared a listing of the City's high accident intersections. He stated that the study has not been conducted as to the causes of these accidents. A more in-depth analysis needs to be done to determine how many accidents were right angle collisions.

Chief Sult emphasized that the goal of the Intersection Safety Initiative is to reduce side impact collisions which result in high injury and death rates. He noted that in any traffic initiative, there are three points to improve the quality of life and reduce injuries: engineering, education, enforcement. He stated that these three categories make up any campaign that the Hampton Police Division (HPD) does in respect to traffic. He stated that a well-informed public is extremely important, so they know about the potential hazards. He stated that it was important for the public to understand that the likelihood of injury or death increases dramatically from an angle collision in an intersection and they should be stopping at red lights instead of speeding up to try and beat them. He noted that traditional enforcement would still be part of the program, with officers patrolling. Red light cameras would add to this program. It is cost effective in that officers will no longer need to patrol an intersection and chase violators down. Through technology and the civil process, the owner of the vehicle will be held accountable.

Chief Sult noted that the first step is an engineering safety analysis. This will analyze intersection and signal data to look at visibility, engineering countermeasures, signal timing, phasing, and clearance intervals. He stated that a three year crash analysis needs to be done, along with violation rates and what law enforcement options are already available. If the engineering safety analysis uncovers possible improvements, a locality must take reasonable location-specific safety improvements, including signs and pavement markings before installing a red light camera. He emphasized that the study needs to be done first before cameras can be installed.

Chief Sult addressed the public awareness program prior to implementation. He stated that HPD wants to ensure the public understands what is going on. There would need to be appropriate signage 500 feet in advance of the intersection informing motorists that there is a red light camera.

Chief Sult noted that evaluation would need to take place on a monthly basis to ensure that all cameras and traffic signals are functioning correctly. He stated that the automation that is put in place is almost a continual process and will be monitored as a regular practice. He stated that results of the evaluation and certification would be available to the public by audit, with annual review and certification to ensure compliance with Virginia State Code.

Chief Sult addressed how violations would be processed. HPD would contract with a vendor who will manage the system. The vendor reviews the possible violations and makes a determination as to whether or not it is a violation. If it is flagged as a violation, it is forwarded to HPD by Code within 24-48 hours, where a police officer evaluates it as well. He noted that not all captured incidents are violations, such as funeral escorts, officers directing traffic through a red light, etc. He stated that if an incident is determined to be a violation, it is sent back to the vendor for processing. He emphasized that this must all take place within ten calendar days, or the violation is voided per State statute. In that time frame, the vendor issues an administrative letter. He noted that this is a civil penalty and an administrative notice is sent to the registered vehicle owner.

Chief Sult reiterated that this is a civil violation. It is not a conviction and it does not go against insurance rates or on a Department of Motor Vehicles (DMV) record. Under current Code, the penalty shall not exceed \$50 nor include court costs. He stated that violators have several options in addition to paying the fine. They can complete a non-responsibility statement if the car is co-owned and nominate the other owner, or if the car was a rental or leased vehicle, the owner can nominate the person who rented or leased the vehicle. He noted that if the plate or vehicle is a stolen one, the violation is dismissed. Another option is requesting a hearing in the local courts to contest the citation.

Chief Sult stated that for HPD to be able to manage this program, half of a full time employee officer's time would be required to review the captured incidents. If an officer takes a vacation, deadlines to remain in the timeframe must be maintained. Mayor Wallace asked if this review was done by a sworn officer or a civilian employee. Chief Sult confirmed that it would be a sworn officer.

Chief Sult stated that the City would not incur any initial or ongoing costs from the program as it is designed to be self-supporting. The system equipment and operation costs are absorbed by the vendor, subject to contract specifications. These have not been determined because HPD has not issued a Request for Proposals (RFP) at this time. He stated that this is not about revenue, but about safety. Subject to the contract specifications, the City may receive some revenue on the operation. What this could be hasn't been determined and he emphasized that the goal is to reduce the number of violations that occur, so if the program is successful, there would be fewer violation occurring at the chosen intersections as opposed to increasing.

Chief Sult stated that HPD is hoping that Council will approve a three year test program to gauge the effectiveness with quarterly and yearly reviews. HPD would want to limit the test initially to 3-5 intersections. Ms. Bunting added that a lot of work would need to be done to establish which intersections would be chosen. HPD did not want to start the process with the engineering studies if there was no interest in pursuing such a program. She stated that if Council is interested in this program, the item will come back to Council to amend the City ordinance to begin implementation.

Councilman Tuck noted that he checks his rearview mirror when he goes through an intersection on a yellow light to see how many people go through behind him. Generally, there are quite a few, some of whom have the ability to stop but don't. He asked what the length of the yellow light is currently. Chief Sult stated that all intersections are currently at 3.5 seconds or greater. Councilman Tuck asked if the City would be reducing that time to 3 seconds. Chief Sult stated there would be no reductions. Councilman Tuck noted that the presentation stated 3 seconds for a yellow light. Chief Sult stated that the State Code requires 3 seconds, but Hampton is well above that requirement and would not reduce. He apologized for not making that clear. Councilman Tuck stated that he had tried to calculate the rate that vehicles would travel per second based on different miles per hour because the red light camera snaps pictures in .5 seconds. He stated that .5 is very quick for someone who believes they can make it on a yellow light. He asked the significance of the .5 seconds for motorists to be photographed. Chief Sult stated that it needs to be taken into consideration that the .5 seconds needs to be added to the 3.5 seconds of yellow light. This is 4 seconds of reaction time. He emphasized that the yellow light is the indication that a motorist needs to stop. The amount of distance a car can travel in .5 seconds is measured in 10s of feet, not just a few feet. A vehicle would be well behind the stop line when the light turns red. He noted that he had been on some of the RFP committees in Charlotte-Mecklenburg when their studies were done.

Councilman Stuart asked which event took place first, the test study or the analysis of prospective improvements. Chief Sult stated that the City would need to do a study initially, which is why HPD is trying to determine if Council is interested in moving forward, because it will take a lot of manpower and analysis. If the study shows that the side impact issue will not be addressed, then it is not worth putting the cameras in intersections. The analysis is required by statute and is manpower intensive. Then, the program would be implemented in 3-5 intersections to conduct the additional analyses and reports before moving forward. Councilman Stuart asked if the 3-5 test intersections analyze and produce tickets through the vendor relationship. Chief Sult stated that the 3-5 intersections would need to be determined and then the issue would be presented to Council again because there would be ordinance issues associated with it. By using intersections as test studies, there could be improvements in those intersections, and it could be no longer feasible to stay at that intersection.

Councilman Stuart stated that he believes these discussions are eye-opening, because the general concept of cameras at red lights makes one believe there will be a camera at every intersection. However, there are specific types of accidents being targeted for prevention, and the chosen locations would only be those in which there was a greater propensity for those accidents to occur. Chief Sult stated that he is not a fan of doing something like this for revenue. He emphasized that this is first and foremost about reducing injuries, saving lives, and reducing the amount of damage that occurs as a result of accidents. If this causes HPD to save manpower, it is more manpower that can be put into the neighborhoods. Councilman Stuart stated that Chief Sult had been clear

that this was a safety initiative as opposed to a revenue initiative. He noted that this would be a perfect light duty position for an officer that suffers an injury. Chief Sult stated that this is probably who they would utilize for that because there are generally several officers on light duty at any given time.

Councilman Hobbs noted that there was a news report several weeks ago about a couple of engineers who had problems with the mathematical formulas that the red light cameras are using to actually take the photographs. He asked if Chief Sult had seen this article or heard about it. Chief Sult stated that he had read about this situation and found it confusing because the program is very straightforward. Either it has been so many seconds since the red light or it has not. When the RFPs are written, they must have certain standards in accordance with the State Code. Engineering will be watching the timing of the lights extremely closely, and he stated that he will make sure timing is not reduced because that is also a safety factor. He stated that this is only one of four avenues, and will include traditional enforcement, education and engineering. He stated that engineering is a key factor in red light cameras, and they would have to be involved in the installation.

Councilman Hobbs stated that he goes through four of the highest accident prone intersections every day for work. He stated that everyone knows about those intersections and this could slow the traffic down, so he is in support of these efforts.

Vice Mayor Curtis asked what, other than resources, is stopping HPD from putting a police officer at all of the highest accident intersections. Chief Sult stated that one additional benefit with the red light cameras is it can catch all offenders, not just the one car the police officer can stop. Vice Mayor Curtis asked if HPD had unlimited resources, would they put police officers at all intersections around the clock if need be, if this was the most effective means of enforcement. Chief Sult stated that this is exactly what HPD would do. Vice Mayor Curtis asked if a police officer observed and ticketed a person for running a red light, the motorist would get points on their license in addition to a fine. Chief Sult confirmed that was true. Vice Mayor Curtis stated that this potential program would save the City the expense of extra manpower needed to do effective red light enforcement, and there's a lesser penalty for those who are identified as violators. Chief Sult confirmed those statements.

Councilman Moffett asked Chief Sult to share how many enforcement systems are currently installed in neighboring localities and some of the preliminary data shown with regard to safety, as a point of reference. Chief Sult stated that Newport News, Virginia Beach and Norfolk all use red light camera systems. Fairfax and a number of other Northern Virginia localities also use the system. He stated that he does not have safety data with him, but will provide those numbers to Council.

Councilman Tuck noted in the data analysis of accidents there was nothing to indicate the types of accidents. Although presenting these accident numbers to Council, the Chief wasn't sure what the causes of the accidents were. Chief Sult stated that Councilman Tuck was correct, and this was one of the reasons HPD is trying to determine Council's interest. Analyzing those accidents and determining types of accidents is part of the initial study that would be conducted.

Councilman Stuart stated that this program seems much less obtrusive than some citizens might have thought when it was initially presented. These would only be placed

in the most dangerous intersections. There are 15 individuals who lost their lives in Hampton, and preventing any of those losses of life is important. To study improvements to these intersections is necessary. He asked how Council could informally provide HPD guidance whether or not to move forward. Mayor Wallace stated that no one has issued any objections, so he will tell the City Manager to move forward. Ms. Bunting stated that HPD will begin the analytical work and provide that information to Council and the community upon completion.

PRESENTED by Police Chief Terry Sult.

2. 14-0090 Discussion of the City Divesting Property it Owns in the Grandview/White Marsh Area.

Mayor Wallace noted that this matter was requested by Councilman Stuart. Ms. Bunting stated that she and Councilman Stuart have had several conversations regarding this property. She noted that Mr. Jim Wilson, Director of Parks & Recreation, has prepared maps of the area for reference. A few years ago, there were many questions about the City's ownership of the property at the White Marsh/Grandview area. As it is a public piece of property, sometimes people assume it is open to public use, but it was not purchased as an open park or beach. It is not managed or staffed that way. The City had envisioned using the property as a nature preserve. Because of some of the private property ownership issues in the area, there have been questions about whether the City should change its policy about use, and the City has been dragged into disputes between private property owners. Council has talked about disposing of or divesting the property in the past, ideally with a conservation group, such as the Virginia Outdoors Foundation who has the easement on the City beaches at Buckroe. She stated that there has been some preliminary work towards that end, but the property is not as large or as significant as the Outdoors Foundation would typically take ownership in. She stated that Councilman Stuart wants some resolution brought to this issue.

Ms. Bunting noted from a staff perspective that unless the City is committed to adding more property out there, it is hard to advocate continued ownership. However, the City would reserve a shoreline protection easement if it disposes of the property. This is something the Waterways Committee has recommended to ensure that the City obtains shoreline protection easements when there is an opportunity to continue to enhance the waterway management in the City. She additionally suggested ensuring that any entity that took ownership did not develop the property and further exacerbate the concerns in the community about overdevelopment of environmentally sensitive properties. She stated that this could ultimately be obtained through a deed restriction.

Councilman Stuart stated that the City has a piece of property that it does not have a purpose in owning at the moment. It will not be developed. He noted that it has been in limbo for quite some time. Every other piece of property along the strip that's adjacent to the beach is privately owned. This particular piece of property dragged the City into a rather contentious issue with the property owners, which appears to be resolved now. He would like to see Council add it back to the tax rolls by selling it to a citizen or commit to finding a conservation group. He believes the deed restrictions are a great suggestions and he does not believe anyone should be allowed to build a home or anything else on the property. He noted that this issue predates some of those on Council, but there were others who saw firsthand how contentious some of the challenges are for the people who own the nearby properties.

Vice Mayor Curtis asked if the parcel that abuts the inlet next to the property was privately owned. Ms. Bunting stated that she believes it is, but she can verify the actual ownership. Councilman Stuart stated that it was his understanding that the property was privately owned. Vice Mayor Curtis noted that it did not appear to be developed. Councilman Stuart stated that nothing along the strip is developed, with the exception of one owner who, through a court case, was given authorization to build a home in the future. He asked if Ms. Bunting knew why the other parcels were undeveloped. Ms. Bunting stated that there are a variety of issues with developing property on or near the water. There are Chesapeake Bay Preservation Act requirements, wetlands requirements, and other requirements from various regulatory agencies. She stated that many of the property owners there don't have a desire to develop, but use it as a private recreational opportunity. She stated that she cannot say there will never be development out there because there are ways to design within all the regulations referenced. They are difficult and expensive, but it can be done. Councilman Stuart stated that if the City chooses to divest itself of the property, through deed restrictions it can negate development occurring on that parcel. Ms. Bunting stated that this is why she made that suggestion, because the City is a community that values the waterways and environmentally sensitive properties.

Ms. Bunting noted that if Council decides to divest itself of the property, a public hearing would be necessary to approve a resolution. She clarified that Council would not vote on this issue today, because there needs to be advertisement first.

Councilman Tuck asked what the acreage of the area was. Ms. Bunting stated that she was not sure, but can verify the information for Council. Councilman Tuck asked how the property is currently used. Ms. Bunting stated that it is not used. Councilman Tuck asked if it was access to some of the area, if birdwatching or something else was done there. Ms. Bunting stated that it is something the City owns but it has limited access with no roadways leading into it. The City doesn't patrol it to keep people from going there, but it is not marketed as a property for public enjoyment. Councilman Tuck asked if the City owns it because of its access to the Salt Pond inlet, or something else strategic, or if it was inherited from someone. Ms. Bunting stated that at one time, there was a desire to acquire multiple parcels and make the area a public recreational amenity of a passive nature, such as a nature preserve. However, most of the property owners adjacent to the property do not want to sell. Given that, and the expense that would be required to obtain additional property, the City now has a singular piece of property that is not serving a larger purpose other than preserving and protecting the environment, which can be addressed through deed restrictions.

Councilman Tuck asked if this property was wetlands. Ms. Bunting stated that she doesn't believe delineation has been done on it. It is possible, and probable, but has not been determined officially. She apologized for being vague, but the property has not been a specific initiative of the City's for many years, so it has sat dormant. It is taken care of in the manner of all natural areas, which is not a large expense, but it is in the City's inventory and is not being actively used. There was a thought many years ago that as property became available, it should be preserved for general community use and environmental protection, because environmentally sensitive property should not be overdeveloped. She emphasized that her lack of definitive answers is not a lack of desire to answer, but just that a lot of attention hasn't been paid to this property. She

believes this is why Councilman Stuart thought it was wise to disinvest of the property, because the City does not have a specific use for it.

Councilman Tuck stated that he would like his questions answered before he can give an opinion on how to proceed on this issue. Ms. Bunting asked if he would like an official determination from the Corps of Engineers about the wetlands specifically. She noted that this is a formal process. Councilman Tuck stated that he did not want to cost the City any money, but he believes this is probably wetlands. He asked if one of the issues was that a gentleman wanted to build a house and wetlands was a factor. He asked what someone would be able to do if the City sold the property. He stated that he would like his questions answered at whatever is the least cost to the City. Ms. Bunting stated that there are general observations or getting the official determination. She stated that she feels pretty certain that they are wetlands. She confirmed that the property is 21.12 acres.

Mayor Wallace noted that there was no development on either side of the property because of wetlands issues. There had been previous discussion about giving it to some conservation entity but there was little interest expressed because of the insignificant size. He stated that at this time, there might be more reception from conservation groups. He stated that it would be his disposition to vote in favor of placing it with a conservation group with restrictions in terms of how it can be used. Ms. Bunting clarified that she doesn't believe the City will be able to sell it for a lot of money, and this is not the reason the City would dispose of this property. A conservation group would not pay anything for the property, and by adding restrictions, few people would want to pay anything for it. A conservation group will maintain the property and provide general public access without the City having that expense. She emphasized that this is not about trying to make money on a piece of property; it is more like a transfer of ownership.

Vice Mayor Curtis stated that she believed it would be a great idea to give the property to a conservation group for general public enjoyment, for preservation of the wetlands, and generally to preserve the character of the whole area. Councilman Stuart stated that he couldn't agree more.

Councilman Moffett asked if there was a general sense from the community on what they would like to see happen with the property. Ms. Bunting stated that the City had not heard much from the community in the last year or two. There was a court case making its way through the system that dealt specifically with the development related to one property owner and the easement issues. There was an argument that the easement was underwater and should therefore move with the line of the property. The original ruling is being appealed, so the situation is still in a state of flux. The community there has largely been focused on that issue, as opposed to the City ownership of property. The City has not engaged citizens on the issue recently. When it was an issue several years ago, there were people who wanted the City to either take an active role or not be involved with the property at all.

Councilman Moffett stated that he would support conservation and transferring it to a group that would be willing to undertake that.

Councilwoman Snead stated that she would be okay with a conservation group taking over the property. She stated that she was confused at first because she wasn't sure

why the City wanted to do so in the first place, but after this discussion, she understands that it would be better served if it were in the hands of a conservation group.

Councilman Hobbs asked if the City had made contact with the Homeowners' Association out there, or if there was an association. Ms. Bunting stated that there are active property owners who formed a group to deal with the court case referenced earlier. There is also the larger area of neighborhoods out there, but none have been engaged with recently.

Councilman Tuck asked what the Council has decided on this issue. Ms. Bunting stated that she is going to get the information sought by Councilman Tuck to the Council as soon as possible, and that there seems to be a general consensus that transferring the property to a conservation group is a good idea but more information is needed. She stated that the next step would be to prepare a public hearing item.

Councilwoman Snead asked what the narrow blue area on the map was. Interim City Attorney Jeff Sachs stated that this was a piece of property that was transferred as part of a settlement of a court case in 1993. An order was entered by the Hampton Circuit Court and a receiver had been appointed and dealt with the divesting of property owned by a corporation that had developed the entire Grandview area but had been dissolved by the founders. It was not fully executed legally, and is .18 acres according to the City Assessor's Office. Councilwoman Snead asked if we were talking about this property. Ms. Bunting stated that the discussion is centered on the larger lot. Councilman Stuart stated that this particular portion of land is a continuation of public right of way and leaving it alone would be a wise move considering much of the legal contention involves individuals owning property in little strips who need a legal way to access their property. Mayor Wallace stated that at one time there was a proposed road in the 1930's that was going to go on that land, but as the shoreline changed over the years, the idea was abandoned.

PRESENTED by Mary Bunting, City Manager.

3. 14-0102 Briefing on CEAC Recommendations Concerning Police Review Commission/Process

Ms. Bunting stated that the membership of the Citizens' Engagement Advisory Committee (CEAC), formerly the Ad-Hoc Leadership Group, made a report in November 2012 and came back to Council last month to give final thoughts on a police review commission. They studied models from around the country and specifically what Virginia law permitted, which is very different from what other states permit. Their recommendation is advisory in nature, while allowing for a review component, when citizens were concerned about police matters. They have had some very positive conversations with Chief Sult, who had additional ideas and suggestions as well as some concerns about the model they recommended. Much of the concern centered on the term "police review commission" which implies investigation, but that is not legally allowed in Virginia. This would cause citizens to have one set of expectations versus what can be done legally. She emphasized that the work must be advisory under Virginia law, not investigatory. CEAC stated that they were open to the ideas that the Chief might have to achieve the goals of building trust in the community, while at the same time preserving a review function. At the conclusion of this report, the City Manager and Chief Sult met with CEAC to develop definitive recommendations.

Ms. Bunting apologized for the lack of information in writing provided before today, as several meetings were cancelled due to snowstorms and the group was only able to meet for the first time last night.

Ms. Bunting stated that her first question to the group was why they didn't choose to be the review committee in the first place. The Ad-Hoc Leadership Group was convened to be a review body, not specifically for police matters, but for any type of community concern that potentially could be divisive. Their first review happened to be a police matter, with the Andrea Reedy incident. In the years since that incident, nothing has quite measured up to that level of divisiveness or concern. This is why she asked the group, whose original intention was to be a review committee, why they had not chosen to be the review committee. They responded that they did not want only to be a police review committee because there is a larger role they can play in building understanding and consensus, monitoring, inquiring, reviewing and advising on issues. The second reason was that they did not feel as though they had the expertise and resources to be such a group. There was no former law enforcement professional, as recommended in the report. They also feel they do not have all the legal understanding or knowledge needed to be a police review commission effectively. As the conversation was explored, and she suggested providing those requested resources, rounding out the committee using the vacant slots available, and not tying the committee solely to being a police review committee, and asked if they would be more willing to take on this role so that the City was not administratively supporting multiple groups. CEAC has embraced that idea, knowing that the City was not interested in having only a police review committee, but one that was dedicated to the community, and that the City would want an independent perspective on any incident in the City.

Ms. Bunting stated that by the end of the conversation, the group was 100% behind being the group that would do police and community reviews for the City. They stated that they would see it as a City review commission. Four stages of work were discussed. The first level would be a monitoring for issues of community concern, which would be happening at all times. The second level is inquiry with relevant City staff, or if it's a non-City incident, the private parties involved. The third level would be active review and advice. The fourth level would be for any big situation like the Angela Reedy incident with full community conversation and engagement. She stated that there is more work to do before operational details can be shared. She stated that she is encouraged that the group has agreed upon something that can be used going forward that honors the heritage and history of what the Ad-Hoc Leadership Group was initially asked to do. She stated that it would be helpful to know if the Council is agreeable to the general direction that is being taken.

Councilman Moffett stated that he is pleased with the input that has been received from CEAC, the City Manager and Chief Sult. He encouraged the City Manager to continue to flesh out the details with CEAC. He just wants to make sure that there is an opportunity for public review before anything is finalized. Ms. Bunting stated that the next step would be to bring the details to the Council and then Council can move forward with whatever process they desire.

Councilwoman Snead stated that she is in support of what the City Manager has suggested.

Councilman Hobbs stated that he liked the idea of a total review of the whole City, so if there is an incident somewhere, citizens have other citizens to talk to about it. He stated that he was part of a commission like that for about 12 years and he found it very beneficial for the citizens. He stated that he supports these efforts.

Mayor Wallace stated that he believed Ms. Bunting had clear direction. He stated that he was also in support of the idea as he had been a long time champion of this process and would like to see it materialize.

PRESENTED by Mary Bunting, City Manager.

4. 14-0094 Briefing on "I Choose Hampton"

This item was taken last on the agenda.

Ms. Bunting introduced Ms. Robin McCormick, Communications Strategist, who would be unveiling the new informational and marketing campaign the City has been working on for a while. Ms. Bunting stated that this tied nicely into the Council retreat that took place the previous week, where Council discussed its vision statement for the community. There is a lot Hampton has going for it that many in the community don't even realize. This will make sure the City's residents and businesses, as well as external sources, know what is happening here. This new campaign will begin to operationalize the vision statement developed during the retreat and is a great way to tell the City's story in new and more innovative ways that reach larger groups of people.

Ms. McCormick stated that she is excited about this campaign, but it has been a lot of work. She stated that there were two real generators for this, one of which was the community plan and the community's desire to build on its pride and image, and to hear more of the success stories. The second generator was economic development, as the economy begins to turn around, businesses begin to expand, the housing market opens up again, and there are more opportunities. Some of the things done in preparation for building this have been the "I Value" campaign, which has been a four year dialogue with residents, and the marketing campaign that asked citizens why they love Hampton. Some prizes were offered for people to discuss Hampton, some focus groups were done. She shared a keyword map that displayed what people valued.

Ms. McCormick stated that the initial spokespeople were carefully chosen because they will be highlighting different aspects of Hampton. After this two year campaign, there will be a well-rounded story that has been revealed a little at a time.

Ms. McCormick stated that Patrick's Hardware was chosen because they've chosen Hampton for more than 100 years. This gets at business success over a long period of time. It also shows change, since it started as an old time hardware store and has developed and changed. It is also very family oriented, is located downtown and targets the history of the city.

Ms. McCormick stated that the star power of Francena McCorory was chosen because she could literally choose to live anywhere she wanted to, and has chosen Hampton. She highlighted that her support system is here. This also gets at Hampton's long tradition of student athletic success and the City's strength of partnership with Hampton University.

Ms. McCormick stated that Measurement Specialties, Inc. was chosen because they are a very fast growing, high tech company. They are located at Hampton Roads Center, highlighting that area. They just had a record quarter in terms of earnings.

Ms. McCormick stated that Ethereal Cupcakes was chosen as a different kind of business success, a husband-wife team. They show entrepreneurial spirit in a retail oriented business and specifically chose the Coliseum Central area because of the walking component. They like that quality of life for their business.

Ms. McCormick stated that there was also a celebrity connection with the Mango, Mango company, who received National TV exposure. They share their expansion, growth and commitment to downtown. They also have future plans to open a bistro restaurant and to add to their product line.

Ms. McCormick stated that there are four billboards in rotation, both eastbound and westbound on I-64. Those will be seen by people in over one million vehicles each week. Ms. Bunting noted that the City does not pay for that billboard advertising. There is an arrangement with the company because there is a billboard on a City-owned piece of property where the City gets a certain number of billboards per year at no expense to the City. This is a free benefit to expose drivers on the interstate to Hampton.

Ms. McCormick stated that the City will also use social media to roll out this campaign. The city has over 21,000 followers, which is a good number for a city of this size. She shared examples of the roll out on various social media outlets. These will be updated every week. She noted that Twitter is an absolutely instant medium, where the 2,000 followers of the City are a drop in the bucket. With Twitter, people share it and it dramatically expands the audience. She stated that Twitter is more male and news-driven while Facebook is predominately female and more social. According to the City's media strategy, the City has over 716,000 impressions in a one month period with 44,000 users. The City has opened two new social media channels, on Instagram and Google+. There are not many people following those accounts yet. She stated that this will also be shared on the eNewsletters, which will reach 6,400 each week.

Ms. McCormick noted that on the new Hampton.gov website, the City receives approximately one million page views quarterly, and showed how the new campaign would be displayed on the website. There are approximately 8,000 views quarterly on the City's YouTube channel which has been an educational component. This could take off after implementing the new campaign videos. This campaign will also be rolled out on the City's Channel 47, which is carried by Cox Cable and VerizonFios. According to the independent consultant study, 28% of adults in the City watch that channel.

Ms. McCormick shared a video that will be displayed on YouTube and Channel 47.

Ms. McCormick emphasized that this campaign has cost the taxpayers no additional money up to this point. The social media channels have been built over the past three or so years and the video and photography were done in-house. She asked the staff from Marketing, Inc. to stand and be recognized for their outstanding work.

Ms. McCormick stated that the City is hoping to expand the campaign in creative and fun ways. She shared an example of what the Virginia Tourism Corporation is currently

doing. She stated that the City can communicate with the business community and see if the City can use some of their flagpoles to promote the brand there. The Marketing staff has been talking to the Downtown Business Improvement District (BID) about expanding some applications and will be meeting with the Coliseum BID and the Phoebus district. She shared another idea of doing an aerial photo or stadium photo. She noted that decals would be great for cars and business windows. Additionally, the City will be using Instagram and Facebook to hold contests for citizens' photos and videos. T-shirts and bus advertisements are additional ideas.

Ms. McCormick stated that the City is currently working with Hampton City Schools (HCS) because they are interested in partnering in this idea to build out themes of "I Choose Hampton City Schools." Potentially, there would be a profile of each neighborhood. This would be for those moving into the City who can get a sense of the neighborhoods and schools to make decisions about what fits their family best. This can also be done with arts groups, museums, theaters, and others.

Councilman Moffett thanked those that had worked on this project. He stated that this was an extraordinary job and that he was excited about the campaign. He had one suggestion, to include other citizens, and perhaps form focus groups to emphasize the talent within the community.

Councilman Stuart noted that over the last few years, Marketing, Inc. has done nothing less than remarkable work. It has created a dialogue with Hampton citizens, the surrounding region, and prospective businesses. He noted the importance of the Round Robin videos and the Hampton Happenings eNewsletters. He stated that these videos looked stunning. He asked if this was the official default Hampton logo in the absence of Council deciding on one. Ms. McCormick stated that staff would like to get some sort of visual to go with the Hampton VA logo. There is no timetable currently because that issue was tabled during development of the "Choose Hampton" campaign. Councilman Stuart noted that with a useful logo, it can be customized and manufactured and put into a variety of different scenarios.

Councilman Hobbs asked when they would be able to order T-shirts because he would like to order six right now for his family. He noted that they use T-shirts with car sales all the time, and people still use those T-shirts regularly. Ms. McCormick stated that if the City could get something the community would pay for, it would consider going to one of the foundations to handle it, because the City itself cannot handle orders or sales fulfillments. She stated that this campaign will work, but for this to be a big success people have to believe in it and spread it. She stated that she hopes Council will share this with the citizens, and will also help the Marketing staff with recruiting new people to represent the campaign.

Councilman Moffett shared a saying that Ms. Martha Ailor, a former Councilmember, used to use: "I wasn't born here, but I got here as fast as I could." He stated that, given this campaign, if he were not in Hampton, he would be getting here as fast as he could.

Vice Mayor Curtis stated that she has already retweeted it.

PRESENTED by Robin McCormick, Communications Strategist.

5. 14-0092 FY15 Budget Preview: Regional Jail Budget Impact and Civic Engagement Approach

Mayor Wallace requested that item 14-0092 be taken out of order as the fourth item discussed.

Ms. Bunting introduced Assistant City Manager James Gray, who would be updating Council on the Regional Jail, which has projected a rather sizable increase of needed funding from participating localities. Those localities include Norfolk, Newport News, Portsmouth, and Hampton. The source of the budget challenge stems from the fact that for many years, the Regional Jail has been host to U.S. Immigration and Customs Enforcement (ICE) immigration inmates who are being detained and/or are in the process of being deported for various reasons. There were up to 400 ICE inmates at any given time. Through a variety of circumstances, those inmates have since left the regional jail. When revenue is lost for 400 inmates and the operational expenses are largely the same, with some savings in food costs, pressure is put on the localities to make up the difference. She emphasized that the localities have been relieved of an obligation it would have had for all those years had there not been ICE inmates, but nonetheless, no one is looking forward to the financial impact of that decision. She noted that once the localities were aware of the loss of the inmates, each locality began to press to make operational changes in the budget to minimize the impact on the localities. She stated that one of these items will be on the agenda this evening. She stated that there is some optimism that the situation may change, but as the FY15 budget is discussed, this is one of the big expense drivers in the budget scenario. The impact could be as large as \$1.5 million.

Councilman Moffett asked what it means when the City Manager refers to the Jail as losing 400 inmates. Ms. Bunting noted that Councilwoman Snead is the City's liaison on the Regional Jail. She stated there were several factors relative to the loss of inmates. She emphasized that this meant ICE was no longer putting inmates in the Regional Jail. They are elsewhere, and there were several Federal policy changes about immigration and deportation so that the number would not be 400, even if they were in the Regional Jail. There were Federal budget and sequestration issues beyond the Region's control. There were also concerns they had about the way things were being done at the Regional Jail that have since been addressed.

Mr. Gray stated that the participating localities had established the Regional Jail Authority in 1993, issuing debt and constructing a jail on approximately 38 acres in the City of Portsmouth. The primary reason for this was to handle some of the overcrowding in the jails that was occurring in the participating localities. Each locality has a guaranteed number of beds that it has agreed to fund to pay the cost of servicing the debt and operating costs. Operating costs increase each year, with some of the same budget pressures as the City faces such as increased personnel costs. Over the years, the per diem per bed that the City pays has increased from \$18 to \$53. Through those increased costs that have occurred over the years, the Regional Jail was fortunate to have for approximately 10 years the benefit of housing the detainees from ICE. At the peak, the Regional Jail was housing 400 inmates, which provided a substantial amount of revenue and allowed the localities to offset some of the operating costs. There were approximately three remaining ICE inmates in December, bringing the total annual loss to approximately \$8 million.

Mr. Gray stated it was anticipated that the Regional Jail would no longer house ICE inmates, but did not anticipate it would occur as quickly as it did. Adjustments were made in the operating costs of the jail and the jail staff has done a great job at reducing expenses, but that much loss in revenue cannot be made up just through staff and operating cost reductions. He stated that the increased cost to Hampton could be as much as \$1.5 million.

Mr. Gray stated that the localities are looking at several strategies. One of these is to find additional inmates to fill the beds. The Regional Jail Authority is in discussions with another locality in the Region that may need to send inmates to a regional jail. If that materializes, it could replace some of the revenue that was lost. Another strategy, which is on the agenda for approval tonight, is making a change in the policy on the amount of operating reserve that the Regional Jail is required through the service agreement to maintain. Right now, the operating agreement requires the Regional Jail to maintain 25% of the operating expenses annually in a reserve operating fund. All four member jurisdictions are being asked to approve a change to the service agreement to reduce that amount to 16.6%, which represents a change from a 90-day reserve to a 60-day reserve, which is believed to be sufficient to maintain the Jail. It is required that all four jurisdictions approve the change before it can occur.

Mr. Gray stated that with this change, and if the contract discussions with other localities materialize, it is believed that some of the increased cost can be managed. Hampton guarantees 175 inmates. The Jail has a certified rate of about 875 inmates. Through double bunking and other arrangements that number can increase to 1300. In most cases, the City uses all of its beds. There is an option to use more than 175 at a lower rate, and in some cases, because of the number of inmates housed in Hampton, the City does have to use additional beds at the Regional Jail.

Ms. Bunting noted that the specific rate change proposed for approval was reviewed, approved, and recommended by the financial advisors of the Regional Jail. This company is Public Finance Management (PFM), which happens to be the City's financial advisors as well. She stated that this gives her confidence when they say this policy will not put the Regional Jail in a negative financial position on either a day-to-day basis or bond rating review.

Vice Mayor Curtis asked if there was a difference in the per diem rate at the Hampton City Jail as opposed to the Regional Jail. Mr. Gray stated that there was a difference. The daily cost of housing an inmate at the local jail is higher than it is at the Regional Jail. Because there is a medical contract at the Regional Jail, most of the inmates that have significant medical issues are sent there. Most of the local jails have a slightly higher per diem cost. Ms. Bunting stated that this was because the City has been offsetting the rate with the ICE inmates. The real cost of the Regional Jail would probably be significantly higher because every locality sends its high cost medical patients to the Regional Jail. It is more efficient and there is a clinic there. Many inmates have very expensive medical problems to include dialysis, HIV treatments, heart conditions and cancer. As they are in the care of the jail system, localities are required to provide medical treatment. The Regional Jail model has allowed the Region to consolidate those expenses in one place. She stated that more challenging inmates are also sent to the Regional Jail, as well as women because it is a pod-system jail. There is a whole pod dedicated to women to assist with keeping genders separate. Vice Mayor Curtis stated that it is also her understanding that a lot of inmates with mental health

issues go to the Regional Jail as well. Ms. Bunting confirmed that almost all mental health patients go to the Regional Jail.

Councilman Stuart asked what other miscellaneous items subsidize the facility, besides the payments of each locality and the ICE inmates. He asked if there was going to be a surprise later on because some other Federal or State program is changed. He noted that every \$1 million equates to one penny on the tax rate for Hampton, so this expense would add 1.5-cents to Hampton's taxes. Mr. Gray stated that housing ICE inmates was the only contractual relationship the Regional Jail had. This has subsidized the Jail for approximately 10 years. He doesn't anticipate anything but usual rising operating costs, which will not generate significant increases such as this.

Mayor Wallace noted that one observation not yet made was that if there was not the added capacity at the Regional Jail that capacity would have to be available in the City. Consequently, all the costs of the medical treatments would be absorbed by the City exclusively. He stated that he believes there were some State incentives to build a regional jail, at least initially, to encourage localities to come together on such services. Ms. Bunting stated that the biggest incentive was the State providing for 50% of the construction costs, when the maximum for a local jail is 25%. She stated that it is a terrible hit to lose so many inmates at once, but emphasized that if it were not for the fact that those 400 inmates have been housed for 10 years, the City would have been paying a lot more all along. She stated that every locality is very concerned about the possible increase and the board members having been pressing hard for a cost scrubbing of all the numbers. There has been an active recruitment towards other localities to replace the beds, and overtures have been made to ICE officials to see if there could be a return of some inmates. She stated that if contract negotiations with another locality do not come to fruition, there are other potential sources for filling the beds. She noted that other localities with a higher bed guarantee are required to pay even more than Hampton, so everyone has been active in reducing this cost. She stated that she is optimistic that by the time final budget recommendations are made, the final cost will not be \$1.5 million. However, this is not something that the Council can choose not to pay because it is one of requirements of regional participation.

Mayor Wallace noted that this is part of the ongoing cost of Public Safety that the City must absorb.

Ms. Bunting noted that the next topic is a preview of the civic engagement approach. The City has been very progressive in involving the public in the FY15 budget and all budget years since 2010. She introduced Ms. Gloria Washington, Director of Budget & Management Analysis, who will be summarizing at a high level since the City does not receive good estimates until approximately mid-March. She noted that HCS is farther along in their process because they receive their numbers from the General Assembly budget, but the City gets validated numbers from December taxes in March.

Ms. Washington noted that this was a high level preview of the City's civic engagement approach. She stated that the City is still facing tough times, but is slowly working its way out. Looking at the National economy, things are turning around in the housing market and the Region's unemployment is declining. However, there are still critical decisions regarding revenues and expenditures the City has to face.

Ms. Washington shared a brief history of the City's civic engagement. She noted that Hampton has received many awards for the "I Value" campaign because it is something that other localities do not emphasize. There is some civic engagement, but our input process goes out to the community, values what the community does, and embeds that into the budget process. In FY11, during the "Needs vs. Wants" campaign, there was consolidation of youth & family services, as well as a consolidation of marketing functions. In FY12, the City asked residents to define broad service level priorities. From this, there were privatization opportunities in landscaping and looking at Best Management Practices in Public Works. In FY13, the City polled on potential cuts in specific services, such as cutting hours at the History Museum, libraries and community centers. In a lot of cases, even though the community was looking at what it had identified in previous years, the community still wanted to preserve the quality of life services along with some of the key education and public safety initiatives. In FY14, there was a major partnership with HCS and the City regarding detail level cuts for both City and schools. The City Manager and HCS Superintendent went out to the community and explained that because of declining revenues and assessment declines over the past five years, without adjusting the tax rate to pay for the cost of services, it was necessary to look at reducing entire services. This reduction included closing Bluebird Gap Farm and branch libraries, reducing guidance counselors, and increasing class sizes.

Ms. Washington shared the specifics of the options provided to citizens in FY14 budget talks. By doing nothing, there would have been \$15 million in reductions. To protect services at the current level, there was a necessity for a 15-cent increase on the tax rate, which equates to approximately \$15 million. To protect services and invest in the future of the City, there was a suggestion to raise the tax rate by 23-cents, which included four pennies for investing in HCS and four pennies for investing in the City's infrastructure. Online polling, scientific polling, and in-person polling resulted in 90% support for a rate increase.

Ms. Washington stated that during the budget process, approximately three pennies were mitigated from the proposed tax increase by looking at various strategies from both HCS and the City. Council ultimately adopted the 20-cent increase, with 10-cents for HCS and 10-cents for the City. Council also adopted the tax revenue policy to avoid large spikes in the tax rate in the future.

Ms. Washington shared a breakdown of the tax increase allocation. There was a real estate decline of approximately \$3 million. To maintain mandatory increases for HCS and the City required another \$7 million. Salary increases for both HCS and the City totaled \$5 million. This left \$5 million for investment in City growth and HCS technology.

Ms. Washington noted that this year, there are still continual mandatory pressures, including the Regional Jail. Additionally, there are debt service increases this year to pay for the City's capital needs, as well as increases in the closed retirement system. There are annual increases that need to be provided despite its closure. She noted that the City Assessor of Real Estate gave a presentation previously regarding the expected decrease in assessment values of 1.21%. This is equivalent to approximately \$1.3 million in real estate losses, in which HCS would share. She noted that overall revenue projections are expected in March.

Ms. Washington stated that HCS also has continual pressures. Many of these are State-driven, such as the Virginia Retirement System (VRS) and Hampton Employee Retirement System (HERS) catch-up investments. She noted that there were also composite index changes based on three factors: the value of real property, the adjusted gross income, and the taxable retail sales. In this case, with the City's composite index increasing, there is less money back from the State. There is also a reduction in State standards funding, which is equivalent to some of their basic aide funding for standards of quality, decreases in incentive-based funding, as well as the potential impact from the real estate assessment decline.

Ms. Washington noted that in the past, the City has done a lot of polling in the community and what their needs and wants are. There is a lot of data to reflect on. This year, the focus of the civic engagement effort is long-term growth strategies, to increase the tax base and provide a return on investment. The City would like to poll on strategic topics such as the tax rate equalization policy, to see if citizens are comfortable with the policy to offset the assessment decline of the 1.21%, or if some of the investment funds should be delayed until the economy recovers.

Ms. Washington stated that there are currently three citizen engagement road shows scheduled. The first is on Tuesday, February 25th at Jones Middle School, the second is on Thursday, February 27th at Bethel High School, and the third will be on Saturday, March 1st at Hampton High School. She stated that Marketing, Inc. will be putting out a publication with full information.

Vice Mayor Curtis asked how the citizen engagement forums would be publicized. Ms. Washington stated that those will be done through media advertisements through Marketing, Inc., such as information posted on Channel 47. Ms. Bunting noted that this is usually done in partnership with HCS. She has discussed this with Dr. Linda Shifflette, HCS Superintendant, who will be discussing it with HCS Board members. When HCS participates, flyers are sent home with the students. She stated that she also sends a personal letter to all the civic association presidents mentioning these dates and informing them that she is available to come to their civic meetings if they desire. She stated that the City staff is willing to go wherever they are asked to go. Vice Mayor Curtis stated that she hopes the City is able to get the broadest possible spectrum of citizens to these forums because they are very important. Ms. Bunting stated that each year the City has been able to top the number of people participating from the previous year, however last year, there were over 300 participants at each forum, so it will be hard to top that participation.

Councilwoman Snead commended the City Manager for the civic engagement outreach. She stated that when giving citizens the choice between tax equalization and delaying some of the investments, it is critical to let them know that some of those are the same investments that may help to increase the tax base. This needs to be understood, because recovery could be slowed down if the City stops investing. Ms. Bunting agreed and stated that the theme this year has been "How do we grow our way out?" because, for example with HCS, almost all the budget issues are State-related issues. HCS is in a separate pool for VRS than the City, and while the City's rate is slightly decreasing this year, HCS is increasing substantially. Between VRS and the group life insurance tied to it, their projected rate increase is over \$3 million. This is something HCS cannot control, as they are in a State pool with a rate that is set by the General Assembly. If nothing is done to increase the tax base, or student enrollment, there will continue to be large

expenditures without the revenue to support the expenditures. She stated that Mr. Leonard Sledge, Director of Economic Development, will be part of the presentations to talk about the economic development initiatives that the City has started and to solicit the public's opinion on new initiatives the City could undertake to grow its way out. She has suggested that Dr. Shifflette discuss the things HCS is doing to enhance the assets in the schools and the public's knowledge of those assets. HCS has very strong programs that aren't always well known. She stated that she believes Council will be pleased with the blend of asking the public about the immediate budget issues, but also the long-term issues that the community faces.

Councilman Moffett asked if it was possible to explain the prospective poll question of still agreeing with the tax equalization policy. He understands what staff is doing, but as an elected official with constituents, he would like to understand the rationale for that question. Mayor Wallace stated that he would also like to see it explained to citizens in the budget forums that the tax equalization policy was recommended by the Council advisory group that includes one of the foremost finance public policy experts in the Nation. Ms. Bunting stated that not only did the Council Finance Committee recommend the policy, when polling sessions were done last year, there were many questions and comments about why the City didn't raise the tax rate incrementally all along. She stated she felt that the public had told the City not to wait for a big change in the future. She noted that the wording has not been finalized on the question of whether or not the citizens still agree with the policy she felt they had suggested the previous year. As City Manager, she struggles with raising the tax rate again because the 20-cent increase was a large increase and it may be too soon to ask for another 1-cent increase. However, Council adopted the policy and it is important in the conversations with the public to acknowledge that their opinions were heard when they said they didn't like the large increase.

Ms. Bunting noted that the public input was data for Council and City staff, but if things are not asked or acknowledged, assumptions could be made about their opinions that are wrong. Similarly, if Council is not going to follow the policy it adopted in response to their comments, then it needs to be explained. Ultimately, Council will make a decision based upon what Council believes is in the best interest of the community, and this is always made clear in the polling session. Polling is not voting, but preference taking, understanding, and dialogue. This is a way as a community to have a better understanding of what is at work.

Councilman Moffett stated that this was helpful to him. He supported and continues to support the policy. He was concerned that this could be misread or misinterpreted, as if asking citizens if they agreed with the policy, and if so, the assumption could be made that another tax increase was coming. He noted that Ms. Bunting had indicated that this was not the final way the question would be formatted. Ms. Bunting stated that she is not yet at a place where she would recommend a 1-cent increase. She takes the policy under advisement and then must weigh in other factors, such as the feelings of the public and the practicality of balancing the budget in a responsible way. She stated there was no point in asking questions if all the answers are already decided, and these forums are a genuine dialogue opportunity.

PRESENTED by James Gray, Assistant City Manager, and Gloria Washington, Budget Director.

REGIONAL ISSUES**NEW BUSINESS**

Councilman Tuck asked the status of the building at Grundland Park. He understands that the recreation association owns the inside of the building and may be covered by insurance, but the City owns the building itself. Ms. Bunting confirmed that the City owns the building and is working with Risk Management. The City is self-insured and depending upon a building's value, sometimes there is excess insurance. In this case, the City did not have excess insurance, due to the age of the building and the deductibles necessary. She stated that Mr. Wilson and the City Manager's staff have been looking for alternatives. It is not their current recommendation that the City would rebuild at the same location. There have been discussions with other parties about a new facility at another location. As soon as there is something to share with Council, it will be provided. She noted that in this particular case, the City had a use agreement with the Fox Hill Athletic Association. The City wants to find a way to continue to allow that entity to do the good work it does in Fox Hill, but needs more time to put together how to best do that.

Councilman Tuck noted that approximately 11 months ago, he had asked for an item to be put on the agenda regarding people with disabilities to be able to call in to the Council meetings. This was referred to the Mayor's Committee on People with Disabilities. He stated that he tried to contact the chair of that group, and would like to know what the status of that particular item is. Ms. Bunting stated that she believed Mr. Gray is working with the Mayor's Committee on that. She stated that the last she had heard is that they were not ready to make a final recommendation. Mr. Gray stated that the Mayor's Committee and several members of the subcommittee have been working on this over several months to arrive at a recommendation for the City to consider. At this point, it is still a work in progress. He has been working on a specific piece of that, which is to determine how the City could create a call-in type of scenario for someone at home. There is still much to be discussed on how to determine who would be allowed to access any possible solutions. He noted that the member of the Mayor's Committee who is taking the lead on this issue has been out on maternity leave for several months, which has slowed the process.

Ms. Bunting noted that at the Council retreat, ways to allow increased participation to Council meetings were discussed. There are many people, for a variety of reason, who cannot get to City Hall for the Public Comment sessions or evening Council meetings, but have a genuine desire to get information to Council. There are many ways for citizens to reach Council, through telephone, email and other methods. However, there are new technologies that the City has been exploring, where online comment opportunities can be posted with the agenda with a deadline prior to the actual Council meeting. All those comments would then be sent to Councilmembers in a consolidated way rather than individual emails. One of the things that the City struggles with is where to draw the line. What is the criteria and how do you say to other people that we'll make call-ins available for some citizens, but not for others. She emphasized that there may be a combination of technology solutions to increase participation for everyone, and allow for more people to get their comments registered and into the record.

Councilman Tuck noted a particular instance where there is a gentleman who wants to have his comments expressed during the course of the meetings, so this was turned

over almost a year ago to the Mayor's Committee, only to find out it hasn't gone very far. Ms. Bunting noted that she recalled the Council as a whole was not necessarily in favor of the City doing a lot with that at the time. She stated that Mr. Gray shared with her that Councilman Tuck had asked the Mayor's Committee to weigh in on the matter, and she is glad they are working on that, but she doesn't recall the Council directing staff to actively pursue that. She apologized if that was her mistake. Councilman Tuck stated that it was not his recommendation to have the Mayor's Committee take over the matter, but others on Council.

Councilman Moffett stated that he believes it is a good decision to let the Mayor's Committee provide a recommendation. Given this age of technology, there are multiple ways for citizens to engage. Years ago, before current technology, it was more complicated. Citizens can call or email questions to each individual Councilmember, whether they are disabled or not. He stated that he is encouraged by the effort being made, that not only will Council be able to reach out to those who have disabilities, but also to citizens who simply cannot get to the meetings. He stated that he believes the City is making a step in the right direction. He encouraged additional research. He noted that one of the previous challenges was technically how it could be done and how much it is going to cost. He believes the suggestions from the City Manager could potentially address the needs of those who have disabilities, and also the larger citizenry as a whole.

Mayor Wallace stated that Council would allow the Mayor's Committee to continue their deliberations on this item and asked that Mr. Gray encourage a speedier conclusion.

CLOSED MEETING

Mayor Wallace noted that there was no longer a need for a discussion on Item 14-0076.

6. 14-0074 Closed session pursuant to Virginia Code Sections 2.2-3711.A.1, .3, and .7

APPROVED

Motion made by: Councilmember W. H. "Billy" Hobbs, Jr.

Seconded by: Councilmember Christopher G. Stuart

Ayes: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nays: 0

- . 14-0075 to discuss or consider the disposition of publicly held real property in the Coliseum Central area, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City

NO ACTION REQUIRED

- . 14-0076 to discuss active litigation

NO ACTION REQUIRED

- . 13-0386 to consider appointments to the Citizens' Engagement Advisory Commission (CEAC) formerly known as the Ad Hoc Leadership Group

NO ACTION REQUIRED

- . 13-0433 to consider an appointment to the Virginia Alcohol Safety Action Program (VASAP)

NO ACTION REQUIRED

- . 14-0045 to consider appointments to the Peninsula Town Center Community Development Authority

NO ACTION REQUIRED

- . 14-0052 to consider an appointment to the Thomas Nelson Community College Board of Trustees

NO ACTION REQUIRED

- . 14-0078 to consider appointments to the Hampton Employees Retirement System Board

NO ACTION REQUIRED

- . 14-0079 to consider appointments to the Hampton Neighborhood Commission

NO ACTION REQUIRED

- . 14-0093 to consider appointments to the 1619 Commission

NO ACTION REQUIRED

- . 14-0103 to consider an appointment to the Hampton Arts Commission

NO ACTION REQUIRED

- . 14-0104 to consider appointments to the Social Services Local Advisory Board

NO ACTION REQUIRED

- . 14-0105 to consider an appointment to the Hampton Clean City Commission

NO ACTION REQUIRED

- . 14-0100 to consider appointments to the Economic Development Authority

NO ACTION REQUIRED

- . 14-0101 to consider appointments to the Hampton Redevelopment and Housing Authority

NO ACTION REQUIRED

CERTIFICATION

7. 14-0077 Resolution Certifying Closed Session

WHEREAS, the City Council of the City of Hampton, Virginia, has convened a closed session on this date pursuant to an affirmative recorded vote made in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712D of the Code of Virginia requires a certification by the City Council of the City of Hampton, Virginia, that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton, Virginia, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the city council of the city of Hampton, Virginia.

ADOPTED

Motion made by: Councilmember Linda Curtis

Seconded by: Councilmember Chris Snead

Ayes: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead,
Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nays: 0

ADJOURNMENT

George E. Wallace
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____